

# Daily Digest

## HIGHLIGHTS

The House passed H.J. Res. 78, making further continuing appropriations for fiscal year 2000

## Senate

### Chamber Action

#### *Routine Proceedings, pages S14339–S14435*

**Measures Introduced:** Fourteen bills and five resolutions were introduced, as follows: S. 1885–1898, and S. Res. 226–230. **Pages S14407–08**

**Measures Reported:** Reports were made as follows:

S. 1627, to extend the authority of the Nuclear Regulatory Commission to collect fees through 2004, with an amendment in the nature of a substitute. (S. Rept. No. 106–220)

S. 979, to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, with an amendment in the nature of a substitute. (S. Rept. No. 106–221)

**Page S14406**

#### **Measures Passed:**

**Majority Party Committee Appointment:** Senate agreed to S. Res. 228, making changes to Senate committees for the 106th Congress. **Pages S14434–35**

**Majority Party Committee Appointments:** Senate agreed to S. Res. 229, making certain majority appointments to certain Senate committees for the 106th Congress. **Page S14435**

**Enrollment Requirement Waiver for Appropriations:** Senate passed H.J. Res. 76, waiving certain enrollment requirements for the remainder of the first session of the One Hundred Sixth Congress with respect to any bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2000, clearing the measure for the President. **Page S14435**

**Bankruptcy Reform Act:** Senate continued consideration of S. 625, to amend title 11, United States Code, agreeing to committee amendments by unanimous consent, taking action on the following amendments proposed thereto:

**Pages S14340–70, S14372–80, S14383–95**

Adopted:

By 54 yeas to 44 nays (Vote 357), Domenici Amendment No. 2547, to increase the Federal minimum wage and protect small business.

**Pages S14340, S14351–53**

Leahy (for Feingold) Amendment No. 2745, to prohibit the retroactive assessment of disposable income. **Page S14354**

Leahy (for Robb) Amendment No. 1723, to clarify the amount of payments to be returned to a debtor if a plan is not confirmed. **Page S14354**

Grassley Amendment No. 1731, to provide for a waiver of filing fees in certain bankruptcy cases. **Page S14354**

Leahy (for Feingold/Specter) Amendment No. 2743, to modify the standard for the award of attorneys' fees. **Page S14354**

Grassley (for Hatch) Amendment No. 1714, to provide for improved enforcement of criminal bankruptcy filing provisions. **Page S14354**

Grassley (for Hatch) Amendment No. 1715, to amend section 707 of title 11, United States Code, to provide for the dismissal of certain cases filed under chapter 7 of that title by a debtor who has been convicted of a crime of violence or a drug trafficking crime. **Page S14354**

Leahy (for Kerry) Amendment No. 1725, to amend plan filing and confirmation deadlines. **Pages S14354–55**

Grassley (for Collins) Amendment No. 1726, to provide for family fishermen. **Pages S14354–55**

Leahy (for Johnson) Amendment No. 2654, to provide chapter 7 trustees with reasonable compensation for their work in managing the ability to pay test. **Pages S14354–55**

Grassley (for DeWine) Amendment No. 1727, to provide for the nondischargeability of certain educational benefits and loans. **Pages S14354–56**

Grassley/Feinstein Amendment No. 2514, to amend title 11 of the United States Code, with respect to the creation or perfection of a statutory lien

for an ad valorem property tax, or a special tax or special assessment on real property whether or not ad valorem, imposed by a governmental unit, if such tax or assessment comes due after the filing of the petition.

Pages S14354–56

Leahy (for Robb) Modified Amendment No. 1722, to provide that duties of a trustee shall include providing certain information relating to case administration.

Page S14383

Leahy (for Byrd) Modified Amendment No. 2530, to make an amendment with respect to credit card applications and solicitations that are electronically provided to consumers.

Page S14383

Grassley (for Bennett) Amendment No. 2546, to amend certain banking and securities laws with respect to financial contracts.

Page S14383

Leahy (for Feingold) Amendment No. 2749, to clarify the bankruptcy jurisdiction over insolvent political committees.

Page S14383

Leahy (for Feingold) Amendment No. 2750, to make fines and penalties imposed under Federal election law nondischargeable.

Page S14383

Grassley (for Roth/Moynihan) Modified Amendment No. 2758, to provide for tax-related bankruptcy provisions.

Pages S14383–86

Leahy (for Levin) Amendment No. 2768, to prohibit certain retroactive finance charges.

Pages S14340, S14383–86

Leahy (for Levin) Modified Amendment No. 2772, to express the sense of the Senate concerning credit worthiness.

Pages S14340, S14383–86

Leahy/Murray/Feinstein Amendment No. 2528, to ensure additional expenses and income adjustments associated with protection of the debtor and the debtor's family from domestic violence are included in the debtor's monthly expenses.

Pages S14340, S14383–86

Leahy (for Kohl) Amendment No. 2664, to exclude employee benefit plan participant contributions and other property from the estate.

Pages S14383–86

Leahy (for Kohl) Amendment No. 2665, to clarify the allowance of certain postpetition wages and benefits.

Pages S14383–86

Rejected:

Kennedy Amendment No. 2751, to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage. (By 50 yeas to 48 nays (Vote No. 356), Senate tabled the amendment.)

Pages S14340–51

Feingold (for Durbin) Amendment No. 2521, to discourage predatory lending practices. (By 51 yeas to 46 nays, 1 responding present (Vote No. 358), Senate tabled the amendment.)

Pages S14340, S14374–77

Dodd/Kennedy Amendment No. 2754, to amend the Truth in Lending Act with respect to extensions of credit to consumers under the age of 21. (By 59 yeas to 38 nays (Vote No. 359), Senate tabled the amendment.)

Pages S14358–63, S14373–74, S14377–80

Pending:

Kohl Amendment No. 2516, to limit the value of certain real or personal property a debtor may elect to exempt under State or local law.

Page S14340

Sessions Amendment No. 2518 (to Amendment No. 2516), to limit the value of certain real or personal property a debtor may elect to exempt under State or local law.

Page S14340

Feingold Amendment No. 2522, to provide for the expenses of long term care.

Page S14340

Hatch/Torricelli Amendment No. 1729, to provide for domestic support obligations.

Page S14340

Leahy Amendment No. 2529, to save United States taxpayers \$24,000,000 by eliminating the blanket mandate relating to the filing of tax returns.

Page S14340

Wellstone Amendment No. 2537, to disallow claims of certain insured depository institutions.

Page S14340

Wellstone Amendment No. 2538, with respect to the disallowance of certain claims and to prohibit certain coercive debt collection practices.

Page S14340

Feinstein Amendment No. 1696, to limit the amount of credit extended under an open end consumer credit plan to persons under the age of 21.

Page S14340

Feinstein Amendment No. 2755, to discourage indiscriminate extensions of credit and resulting consumer insolvency.

Page S14340

Schumer/Durbin Amendment No. 2759, with respect to national standards and homeowner home maintenance costs.

Page S14340

Schumer/Durbin Amendment No. 2762, to modify the means test relating to safe harbor provisions.

Page S14340

Schumer Amendment No. 2763, to ensure that debts incurred as a result of clinic violence are nondischargeable.

Page S14340

Schumer Amendment No. 2764, to provide for greater accuracy in certain means testing.

Page S14340

Schumer Amendment No. 2765, to include certain dislocated workers' expenses in the debtor's monthly expenses.

Page S14340

Dodd Amendment No. 2531, to protect certain education savings.

Pages S14356–57

Dodd Modified Amendment No. 2532, to provide for greater protection of children.

Pages S14356–57, S14387–93

Dodd Amendment No. 2753, to amend the Truth in Lending Act to provide for enhanced information

regarding credit card balance payment terms and conditions, and to provide for enhanced reporting of credit card solicitations to the Board of Governors of the Federal Reserve System and to Congress.

Pages S14356–58

Hatch/Dodd/Gregg Amendment No. 2536, to protect certain education savings.

Pages S14363–64

Feingold Amendment No. 2748, to provide for an exception to a limitation on an automatic stay under section 362(b) of title 11, United States Code, relating to evictions and similar proceedings to provide for the payment of rent that becomes due after the petition of a debtor is filed.

Pages S14367–68

Schumer/Santorum Amendment No. 2761, to improve disclosure of the annual percentage rate for purchases applicable to credit card accounts.

Page S14372

Durbin Amendment No. 2659, to modify certain provisions relating to pre-bankruptcy financial counseling.

Page S14374

Durbin Amendment No. 2661, to establish parameters for presuming that the filing of a case under chapter 7 of title 11, United States Code, does not constitute an abuse of that chapter.

Page S14374

A unanimous-consent agreement was reached providing for further consideration of the bill and an amendment to be proposed thereto, on Wednesday, November 10, 1999.

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**Nominations—Agreement:** A unanimous-consent agreement was reached providing for the consideration of the nominations of Carol Moseley-Braun, of Illinois, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa, and Linda Joan Morgan, of Maryland, to be a Member of the Surface Transportation Board, on Wednesday, November 10, 1999, with votes to occur thereon.

Pages S14382–83

#### **Appointment:**

**NATO Parliamentary Assembly:** The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators as members of the Senate Delegation to the North Atlantic Assembly (NATO Parliamentary Assembly) during the First Session of the 106th Congress, to be held in Amsterdam, The Netherlands, November 11–15, 1999: Senators Grassley, Bennett, and Akaka.

Page S14435

**Messages From the President:** Senate received the following messages from the President of the United States:

Transmitting a report relative to the continuation of the National Emergency with respect to Iran; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–71).

Page S14428

Transmitting a periodic report relative to the National Emergency with respect to Sudan; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–72).

Page S14428

**Nominations Received:** Senate received the following nominations:

Anthony M. Merck, of South Carolina, to be a Federal Maritime Commissioner for the term expiring June 30, 2001.

James John Hoecker, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2005.

Mark L. Schneider, of California, to be Director of the Peace Corps.

Mel Carnahan, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005.

Randolph D. Moss, of Maryland, to be an Assistant Attorney General.

John R. Lacey, of Connecticut, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2000.

Laramie Faith McNamara, of Virginia, to be a Member of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2001.

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**Nominations Withdrawn:** Senate received notification of the withdrawal of the following nominations:

Beth Nolan, of New York, to be an Assistant Attorney General, vice Walter Dellinger, which was sent to the Senate on March 5, 1999.

Page S14435

Marshall S. Smith, of California, to be Deputy Secretary of Education, vice Madeleine Kunin, which was sent to the Senate on March 25, 1999.

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#### **Messages From the President:**

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#### **Messages From the House:**

Page S14405

#### **Communications:**

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#### **Petitions:**

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**Executive Reports of Committees:** Pages S14406–07

**Statements on Introduced Bills:** Pages S14408–23

**Additional Cosponsors:** Pages S14423–25

**Authority for Committees:** Page S14428

**Additional Statements:** Pages S14429–34

**Enrolled Bills Presented:** Page S14406

**Enrolled Bills Signed:** Page S14406

**Record Votes:** Four record votes were taken today. (Total—359) Pages S14351, S14353, S14377, S14379–80

**Adjournment:** Senate convened at 9:31 a.m., and adjourned at 7:38 p.m., until 9:30 a.m., on Wednesday, November 10, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S14435.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATIONS

**Committee on Armed Services:** Committee ordered favorably reported certain military nominations in the Army, Marine Corps, and Navy.

### NOMINATIONS

**Committee on Banking, Housing, and Urban Affairs:** Committee ordered favorably reported the nominations of Gregory A. Baer, of Virginia, to be Assistant Secretary of the Treasury for Financial Institutions, and Susan M. Wachter, of Pennsylvania, to be Assistant Secretary of Housing and Urban Development for Policy Development and Research.

### NOMINATION

**Committee on Foreign Relations:** On Monday, November 8, Committee ordered favorably reported the nomination of Carol Moseley-Braun, of Illinois, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa.

### PRIVATE BANKING

**Committee on Governmental Affairs:** Permanent Subcommittee on Investigations held hearings to examine the vulnerabilities of United States private banks to money laundering, focusing on how they accept clientele, use shell corporations and secrecy jurisdictions to open accounts and move funds, monitor clients and transactions, and identify and respond to suspicious activity, receiving testimony from Elise J. Bean, Deputy Chief Counsel to the Minority, and Robert L. Roach, Counsel to the Minority, both of the Permanent Subcommittee on Investigations; Amy G. Elliott, Albert Misan, Alain Ober, and G. Edward Montero, all of the Citibank Private Bank, and John S. Reed, Citigroup, all of New York, New York.

Hearings continue tomorrow.

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# House of Representatives

## Chamber Action

**Bills Introduced:** 28 public bills, H.R. 3261–3288; 1 private bill, H.R. 3289; and 11 resolutions, H.J. Res. 77–78, H. Con. Res. 221–224, and H. Res. 368–372, were introduced.

Pages H11852–53

**Reports Filed:** Reports were filed today as follows:

Conference report on H.R. 1554, to amend the provisions of title 17, United States Code, and the Communications Act of 1934, relating to copyright licensing and carriage of broadcast signals by satellite (H. Rept. 106–464).

Pages H11769–H11818, H11852

**Guest Chaplain:** The prayer was offered by the guest Chaplain, Rabbi Joel Kessler of Potomac, Maryland.

Page H11712

**Recess:** The House recessed at 9:38 a.m. and reconvened at 10:00 a.m.

Page H11712

**Waiving Enrollment Requirements:** The House passed H.J. Res. 76, waiving certain enrollment requirements for the remainder of the first session of the One Hundred Sixth Congress with respect to any bill or joint resolution making general appropria-

tions or continuing appropriations for fiscal year 2000. Subsequently, H. Res. 365, a rule to provide consideration of the joint resolution was laid on the table.

Pages H11716–17

**Honoring the National Guard's 109th Airlift Wing:** The House agreed to H. Con. Res. 205, recognizing and honoring the heroic efforts of the Air National Guard's 109th Airlift Wing and its rescue of Dr. Jerri Nielsen from the South Pole.

Pages H11717–18

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Restoring Certain Lands to Elim Native Corporation:** H.R. 3090, amended, to amend the Alaska Native Claims Settlement Act to restore certain lands to the Elim Native Corporation;

Pages H11718–20

**Aquatic Restoration Projects:** H.R. 1444, amended, to authorize the Secretary of the Army to develop and implement projects for fish screens, fish passage devices, and other similar measures to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the